

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HATCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATCH. Mr. President, we are prepared to lay down—at least the other side is prepared to lay down—the Glenn-Chafee amendment. So I ask unanimous consent that the pending business be temporarily set aside so that can occur and we can at least begin preliminarily to debate on that.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### THE TENNESSEE DEBACLE

Mr. HATCH. Mr. President, let me take a minute to state I am going to make an announcement here, in the next half hour or so, about what the Judiciary Committee is going to do about the Tennessee debacle. So I just want to put people on notice that the Judiciary Committee is going to act on that debacle. I am very upset about it. I am upset about the way law enforcement officers have acted. It appears that there may have been—these are allegations, not necessarily facts—may have been ATF agents, FBI agents, perhaps even U.S. attorneys and other officials, there may even have been some Canadian Royal Mounted Police involved in this racist incident.

So I am going to have a few remarks to make, and I am going to set a committee agenda on that before we end today. I just want people to be aware of it because we are not going to sit around and let that type of stuff happen.

Mr. President, I will announce with more specifics what we are going to do. But as of today I am sending out a notice that the Judiciary Committee will hold a hearing next Friday on this matter. We expect top representatives from Justice, Treasury, FBI, ATF, and others to be in attendance and to come and tell us what they are going to do to get to the bottom of this, what kind of action they are going to take, to the extent they can tell us with the investigation as of that date.

So I will talk about it with more specificity before the day is out, but I already have a notice going out. I have consulted with Senator BIDEN, and I have to say I have consulted with the distinguished Senator from Tennessee, Senator THOMPSON, who, representing his State, said that Tennesseans want to get to the bottom of this, they want to resolve it, and that he, representing Tennessee, will want to be involved in it and do everything he can to resolve it as well. He has shown great interest. I want to pay a special tribute to him for his work with me on this matter.

Next Friday there will be an intensive hearing on this matter. We are

going to just start to get to the bottom of it, and we are going to make some demands on the leaders of this country to come up with a system that will never permit this to happen again anywhere. We are not going to have law enforcement people, who wear the badge of the public, acting like racists, or being racist, or participating in racist activities.

From what I have heard about this, assuming that it is true—and I have only read newspaper accounts and I have checked with some of these leaders—what I have heard about this, it is abominable. I have to tell you, I have chatted with some of the leaders who confirmed that it is true, that some of our agents have participated in this. Frankly, it is time to put an end, once and for all, to that type of racist activity, and we are going to do it.

I want to personally pay tribute to people in Justice and the FBI and ATF and Treasury who have all indicated to me that they are with me on this, they want to get to the bottom of it, and they are going to handle it with great care and with efficiency.

So we will talk more about it a little bit later. Those hearings are scheduled now for next Friday, and we are going to get to the bottom of this thing as much as we can as of that date. Then we are going to follow up.

Mr. LEVIN. Mr. President, I am sickened by media reports, if they are correct, regarding the so-called "Good O' Boys Roundup" in Tennessee. According to these reports hundreds of law enforcement officials are involved in this whites only event in the spring of each year.

These reports describe events at the gathering, sale of items like T-shirts with a target superimposed over a picture of Rev. Martin Luther King, activities and displays so blatantly racist that I would not want to repeat them on the floor of the Senate. But, I want to make clear that the behavior of these officers, if the reports are true, is reprehensible and cannot be tolerated. They must be condemned if engaged in by anyone. But, if the participants were law enforcement officers sworn to protect the rights of all Americans, such activities are all the more reprehensible.

I am pleased to see that Director John Magaw has ordered an investigation into the involvement of any ATF officers. I would hope that State and local authorities would follow suit. I trust that the ATF investigation will be timely, professional, and thorough, and that a full report will be made to the appropriate committees of Congress, and that officers found to have participated in racist activities should be discharged.

Mr. President, this kind of overt racism is unacceptable and has no place today in American life. It is a sad fact of American history that it has existed at all. I am confident that the American people overwhelmingly reject such behavior, particularly by officers of the

law, and will demand that it not be tolerated.

I ask unanimous consent that two articles from the Washington Times be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Times, July 11, 1995]  
RACIST WAYS DIE HARD AT LAWYERS' RETREAT—ANNUAL "GOOD O'BOYS ROUNDUP" CITED AS EVIDENCE OF "KLAN ATTITUDE" AT ATF

(By Jerry Seper)

OCOE, TENN.—They're trying to tone down the racist trappings of the "Good O'Boys Roundup" here in the Tennessee hills east of Chattanooga, where hundreds of federal, state and local law enforcement officers gather every spring to let off steam.

There was a lot to tone down. Gone, for example, are many of the crude signs that once greeted arriving officers, like this one: "Nigger check point."

The "Good O'Boys Roundup" is organized by agents of the Bureau of Alcohol, Tobacco and Firearms, and it was held this year on May 18-20.

Also gone this year was the traditional Saturday-night skit highlighting the Good O'Boys steak dinner. In one skit, an officer in fake Ku Klux Klan garb pulled a dildo from his robe and pretended to sodomize another officer; who was in blackface.

But according to law enforcement officers who attended this year's and other events, a whites-only policy remains in effect.

Still on sale were T-shirts with Martin Luther King's face behind a target, O.J. Simpson in a hangman's noose and white D.C. police officers with a black man sprawled across the hood of their car under the words "Boyz on the Hood."

"Nigger hunting licenses" also were available throughout the compound, consisting of motor homes, trailers, tents and pickups gathered around a large beer truck.

At this year's event, some black officers—including ATF agents—attempted to crash the party and were turned away after having "bitter words" with some of the white officers in attendance, the sources said.

At attempt by roundup organizers to tone down the event's racist activities comes at a time when black agents have charged ATF with discrimination. In a lawsuit pending in U.S. District Court in Washington, they claim ATF supervisors have done little to address complaints of racial slurs, harassment and other job discrimination.

Brought by 15 plaintiffs, the suit alleges that such incidents as "nigger hunting licenses" seen in ATF offices, a Ku Klux Klan card posted in ATF's Oklahoma City office and use of the word "nigger" by white ATF officials have gone unpunished. There are about 200 blacks among the 2,000 agents within ATF, a law enforcement arm of the Treasury Department.

Representing the black agents is lawyer David J. Shaffer of Washington. He said that his clients were aware of the Good O' Boys Roundup and that discovery in the case found that announcements concerning it had been circulated exclusively by and to white agents.

"This is what this lawsuit is about: a Ku Klux Klan attitude among some of the white agents that seriously affects black agents on a day-to-day basis," Mr. Shaffer said.

Trial in the case has been tentatively set for next year before U.S. District Judge Royce C. Lamberth.

The roundup, according to invitations sent out last year, has been coordinated unofficially for the past several years through the

ATF office in Greenville, S.C., and is open to "any good o' boy invited to attend." Non-law-enforcement attendees must be sponsored and accompanied by law enforcement officers, and participants wear wristbands to verify that they were invited.

The event coordinator is Gene Rightmyer, a retired ATF agent who previously was assigned to field offices in Tennessee and South Carolina. Mr. Rightmyer did not return telephone messages left for him with ATF for comment.

Roundup invitations show that participants were asked to send their registration fees—ranging from \$70 to \$90—to the Greenville ATF office, and the office's telephone was listed as the number for any questions concerning the event.

Todd Lockhart, acting agent in charge of the Greenville office, declined comment, referring inquiries to the ATF regional office in Charlotte, NC.

Several ATF agents in Greenville, however, were aware of the roundup, and during interviews they expressed concern and dismay over the annual event.

"I have never attended, nor would I," said one agent, adding that he and others knew about the racist activities and felt the event reflected poorly on the agency.

"I am not surprised about the signs or the other activities, and whether the racism is overt or subtle, it is wrong," said another ATF official. "I cringe on behalf of the agency."

None of the several Greenville agents interviewed volunteered that they had ever attended the event.

Earl Woodham, ATF spokesman in Charlotte, said he was aware of the annual roundup and had been invited on one occasion to attend but declined. He noted that the event was not sanctioned or authorized by ATF.

"The ATF does not and will not tolerate any kind of discrimination," he said. "But what people do on their own time is their business; we cannot control internal morality."

Mr. Woodham said, however, that Mr. Rightmyer used "poor judgment" in using the ATF address and telephone number in his invitation. He said if Mr. Rightmyer were still employed by the agency, he would be subject to "a full review and possible sanctions."

He also suggested that ATF officials who attend the annual event were "a lot of the older agents, spinoffs from the days of the revenueurs and moonshine chasers."

"The younger agents just don't have time for this kind of activity," he said.

ATF spokesman Jack Killorin in Washington did not return calls for comment.

The roundup was organized in 1980 by ATF agents in Chattanooga and Knoxville. It began with 58 persons, mostly ATF agents, from Alabama, Georgia, Tennessee, Kentucky and North Carolina. Roundup attendance jumped to 341 last year.

According to Mr. Rightmyer's invitation, there are few rules. Among those listed were no fighting, no fireworks and "what goes on at the roundup stays there."

Jeff Randall, a former Attalla, Ala., policeman who attended this year's event, said that while he would not "condemn" the entire group, there was "an obvious racist overtone" by many of those in attendance.

"People can gather and have fun, and there was a lot of good, clean fun available," he said. "But the obviously racist stuff was just not acceptable."

Mr. Randall also confirmed seeing black agents at this year's event being turned away, saying that some of the program participants were "real mad" that they had tried to get into the compound.

A former Alabama police official who asked not to be identified said entrance to

the roundup has in the past been tightly controlled along a one-lane dirt road. He said he personally saw and photographed racially inflammatory signs along that road.

The former police official, who said he attended three of the roundups, said the majority of participants identified themselves as ATF agents. "The roundup has been a place for law enforcement personnel to go and let their hair down," he said. "But some of this overt racism is just inappropriate, plain and simple."

J.T. Lemons, owner of Grumpy's Whitewater Rafting here, whose company sponsored rafting trips at the roundup, said that organizers have "done what they can over the past few years to clean up the racism" and that some overt signs were ordered taken down.

Mr. Lemons confirmed, however, that racially sensitive T-shirts "and other stuff" remained on sale.

Other business owners in this Polk County, Tenn., community—east of Chattanooga, adjacent to the Cherokee National Forest—also confirmed they had seen the signs, T-shirts and other racist trappings but declined to be quoted on the record.

Meetings "designed to keep the White House informed" on the incident, including a listing of administration officials involved in giving or receiving information.

Mr. Clinton and agency heads have pledged to cooperate with the request.

But yesterday, nine days before the hearings are set to open, the joint panel has received documents on "roughly half" of the issues requested, according to a senior GOP source close to the negotiations.

"The Department of Defense has been very helpful, [and] the Treasury Department just sent over 13,000 pages of documents," Mr. Zeliff said. "Some people are trying to help us do our job, and some people aren't."

Justice Department spokesman Carl Stern denied that his agency was stalling. "We've given the committee complete cooperation."

Mr. Mikva's office and the Defense Department did not return calls seeking comment. Treasury Department officials hotly denied they are stalling, saying about 80 percent of the materials requested have been sent to the committee, and "almost all" of the rest will arrive by tomorrow.

Staffers for Mr. Zeliff's subcommittee have requested seven years' worth of personnel records on every ATF agent charged with misconduct. A senior source at the Treasury Department, which oversees ATF, said officials there don't consider records of agents not disciplined for their involvement in the Waco siege to be relevant to the investigation.

But the subcommittee is pressing on with its request, in an effort to "develop a pattern of overreaching on the part of BATF agents," according to the high-level GOP source on the joint panel.

Also yesterday, Sen. Arlen Specter, Pennsylvania Republican and presidential candidate, attacked Mr. Rubin for charging last week that the hearings are politically motivated and that proponents of hearings are "opponents of law enforcement."

In a response yesterday, Mr. Rubin denied saying that and suggested Mr. Specter "misunderstand[s] my views."

#### APPALLED ATF CHIEF ORDERS PROBE OF AGENTS' ROLE IN RACIST "ROUNDUP"—PLANS DISCIPLINE FOR THOSE INVOLVED

(By Jerry Seper)

The head of the Bureau of Alcohol, Tobacco and Firearms yesterday ordered an investigation into the involvement of ATF agents in a whites-only "Good O' Boys Roundup" in the Tennessee hills, saying he

has "zero tolerance" for racism in the agency.

Director John W. Magaw, who took over ATF in October 1993 in the wake of the botched Branch Davidian raid, said he was "appalled" that agents would take part in an event marred by obvious displays of racism.

The Washington Times reported yesterday that ATF agents had organized and helped coordinate the annual roundup since 1980 and that participants, who numbered more than 300 this year, had displayed crude signs bearing racist remarks and sold T-shirts with racist and degrading slogans with depictions.

The Times also reported that, despite efforts in recent years to tone down the roundup's racist trappings, a whites-only policy has remained in effect, and black law enforcement officers, including an AFT agent, were turned away from this year's May 18-20 event.

"I am appalled that an event as the one reported in today's Washington Times would happen in any facet of our society—particularly involving law enforcement officers," Mr. Magaw said in ordering agency officials to find out how many agents were involved and whether ATF property was used to organize the event.

"Everyone at ATF knows of my intolerance for discrimination and harassment," he said. "If an inquiry finds that anyone is involved in these practices, I will do everything in my power to mete out the strongest possible discipline."

An AFT Officer of Inspection inquiry will look into accusations that current and former agents participated, review whether current agents had breached the agency's code of conduct, and try to determine what role former agent Gene Rightmyer played in the roundup.

Mr. Rightmyer, who has not returned telephone messages, has organized the roundup the past several years and, according to a recent letter of invitation, used the address and telephone number of the ATF office in Greenville, S.C., where he was assigned, as the contact point for registration fees and questions about the event.

Mr. Magaw said a preliminary review of the accusations began last month after article from the Gadsden Minutemen Newsletter was posted on the Internet. The Alabama article said racist activities went on at the roundup and that ATF agents were involved.

The preliminary inquiry found that as many as 10 agents had attended and that a black agent who went with two white agents had left after hearing "the racial undercurrents of other participants," Mr. Magaw said.

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Roundup attendance jumped to 341 last year.

Two former Alabama police officers who attended the event this year said there were obvious racist overtones and confirmed seeing black officers being turned away. They said the majority of the participants they met identified themselves as ATF agents, an accusation denied by Mr. Magaw.

ATF has come under fire since the Branch Davidian raid in 1992 near Waco, Texas, during which the agency tried to serve an arrest warrant on sect leader David Koresh, resulting in the deaths of four agents and six Davidians. The agency's actions at Waco will be the subject of House hearings beginning next week.

Black ATF agents have charged in a federal lawsuit that agency supervisors have done little to address complaints of racial slurs, harassment and discrimination.

Trial in the case has been tentatively set for next year before U.S. District Judge Royce C. Lamberth. There are about 200

blacks among the 2,000 agents in ATF, an arm of the Treasury Department.

Mr. LEVIN. Mr. President, again I commend Senator HATCH. I know he will find strong bipartisan support for this initiative he is taking. There is a bipartisan determination to go root out this kind of racism in America.

Again, I think he will find very strong support, both in the administration and in those agencies, to root it out, and, I am sure, on the part of both sides of the aisle.

Mr. HATCH. Mr. President, if I could just add one other thing. The Judiciary Committee is going to resolve that problem. But we are also working very hard on the Ruby Ridge situation and also the Waco situation. We are going to resolve those, too. But I want to do it with a full investigation and not halfcocked. I want to get into it and do what has to be done.

With regard to Waco, we also know the House is starting their hearings next week. They have asked us to defer our hearings until after theirs, in other words until September. We have agreed to do it, on Waco.

On Ruby Ridge we are looking at it very, very carefully. We intend to follow through on it. I know the Senators from Idaho have both talked to me many times about this, and I have assured them this is going to happen and it is going to be done thoroughly and it is going to be done well. I just want everybody to understand that aspect as well, but I do think we do need to do some more investigation.

On the ATF matter, or should I say the Tennessee matter that involves ATF, FBI and others, naturally we will not, by next Friday, have all of the investigation done. But next Friday is to make sure we have our top officials in Government come in and tell us what they are going to do about these racist activities and to chat with us on the Judiciary Committee about what we can do to help them.

I have to, preliminarily, tell you, I am very concerned. I think, currently, our leaders over at the ATF and FBI are as good as we can have. John Magaw and Louis Freeh, Judge Freeh, are excellent leaders. They both are jumping right on this. Both of them have done an awful lot to try to make sure there is no racism within their agencies, and Director Freeh in particular has been making sure that equal opportunity laws are abided by, outreach is being undertaken for African-Americans and other minorities to come into the FBI. And I commend him for it.

I commend him for it. He has been a breath of fresh air ever since he has been there. I feel sorry that he has had to inherit some of these problems. He has inherited Ruby Ridge, and some of the other problems. But nevertheless, I have confidence in him in helping to resolve these problems, and we are going to do everything we can to help him and the others to do the job, as well as our Secretary of the Treasury,

our Attorney General, and others to resolve some of these serious problems.

### COMPREHENSIVE REGULATORY REFORM ACT

The Senate continued with the consideration of the bill.

Mr. ROTH addressed the Chair.

The PRESIDING OFFICER. The Senator from Delaware is recognized.

AMENDMENT NO. 1575 TO AMENDMENT NO. 1487

Mr. ROTH. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Delaware [Mr. ROTH] proposes an amendment numbered 1575 to amendment No. 1487.

Mr. ROTH. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

Add a new section 637 to Subchapter III as follows:

#### SEC. 637. INTERAGENCY COORDINATION.

"(a) To promote the conduct, application, and practice of risk assessment in a consistent manner and to identify risk assessment data and research needs common to more than 1 Federal agency, the Director of the Office of Management and Budget, in consultation with the Office of Science and Technology Policy shall—

"(1) periodically survey the manner in which each Federal agency involved in risk assessment is conducting such risk assessment to determine the scope and adequacy of risk assessment practices in use by the Federal Government;

"(2) provide advice and recommendations to the President and Congress based on the surveys conducted and determinations made under paragraph (1);

"(3) establish appropriate interagency mechanisms to promote—

"(A) coordination among Federal agencies conducting risk assessment with respect to the conduct, application, and practice of risk assessment; and

"(B) the use of state-of-the-art risk assessment practices throughout the Federal Government;

"(4) establish appropriate mechanisms between Federal and State agencies to communicate state-of-the-art risk assessment practices; and

"(5) periodically convene meetings with State government representatives and Federal and other leaders to assess the effectiveness of Federal and State cooperation in the development and application of risk assessment.

"(b) The President shall appoint National Peer Review Panels to review every 3 years the risk assessment practices of each covered agency for programs designed to protect human health, safety, or the environment. The Panels shall submit a report to the President and the Congress at least every 3 years containing the results of such review.

Mr. ROTH. Mr. President, my amendment is to promote the use of risk assessment in a consistent manner across agencies because we believe it will clearly improve the intent of S. 343 and will further the bill's intent of improv-

ing risk assessment within the Federal Government.

It only makes sense to ensure that the conduct, application, and practice of risk assessment be done as uniformly as possible across agencies. A consistent approach will help to minimize unnecessary bureaucracy, overlap, and duplication, and will lead to a more efficient and effective process of performing risk assessment.

This amendment is pulled directly from the Glenn substitute, and shows our effort to continue this process in a truly bipartisan manner. This amendment would require the Director of OMB, in consultation with the Office of Science and Technology Policy to survey relevant agency risk assessment practices to determine the scope and adequacy of risk assessment practices used by the Federal Government.

The amendment also requires the establishment of interagency mechanisms to promote coordination among agencies' risk assessment practices, to promote the use of state-of-the-art risk assessment practices throughout the Federal Government, and establish mechanisms to communicate risk assessment practices between Federal and State agencies, as well as to promote Federal and State cooperation in the development and application of risk assessment.

In addition, the amendment requires national peer review panels every 3 years to review risk assessment practices across agencies for programs designed to protect human health, safety, and the environment.

This amendment will ensure that advances in science and technology are continuously incorporated in Federal risk assessment practices and ensure coordination of these practices among Federal and State agencies.

This amendment will, therefore, improve risk assessment practices in the Federal Government, and will result in a more effective and efficient risk assessment process—a process that is the foundation of effective health, safety, and environmental regulations.

Mr. President, I urge adoption of my amendment.

The PRESIDING OFFICER (Mr. KYL). Is there further debate on the amendment?

Mr. HATCH. Mr. President, we are prepared to accept the amendment on this side. We think it is a good amendment. I believe the other side is prepared to accept it.

Mr. LEVIN. Mr. President, we are not only prepared to accept the amendment but we are delighted that it is offered. It is language that actually comes from the Glenn-Chafee substitute. Needless to say, the more of that substitute that we can incorporate in the pending bill the happier we are. We are certainly pleased with this amendment.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendment of the Senator from Delaware.